



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Department of Ecology A.O. 03-07

Subject of possible rule making: Updating the Department of Ecology's New Source Review Regulation provisions in Chapter 173-400 WAC.

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 70.94

(b) Reasons why rules on this subject may be needed and what they might accomplish: The federal EPA recently changed the federal rules for New Source Review. Ecology will restructure Chapter 173-400 WAC to accommodate the new federal rules, insuring conformance with state law. If Chapter 173-400 WAC successfully addresses the federal rule changes, sources should have greater flexibility in permitting and the environment should remain protected.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The EPA will be involved to insure that the goal of an approved New Source Review program is achieved. The National Park Service will represent interests of the Federal Land Managers on the advisory committee. The local air pollution control agencies will be represented on the committee to insure their rules are compatible with Ecology's.

(d) Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) An advisory committee will advise Ecology on how the rule will impact various interests. Upon completion of the advisory committee process, the general public will have an opportunity to comment on the rule developed with the aid of the committee.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

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A committee will be established to advise Ecology in rule development and language preparation. The first committee meeting will be at Ecology's Northwest Regional Office (3190 160th Avenue SE, Bellevue, WA 98008) on September 4, 2003 at 9:30 AM. This meeting is open to the public.

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